

REMARKS

Responsive to the Notification of Non-Compliant Appeal Brief, the missing section, namely Section X (Related Proceedings Appendix) in fact was submitted with the original Appeal Brief but apparently was lost during processing of the Appeal Brief at the USPTO.

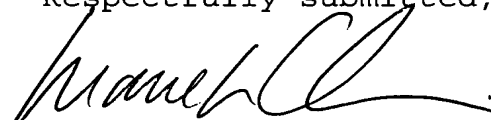
In particular, in reviewing the Appeal Brief on Private PAIR, the last pages of the Appeal Brief are not currently present on PAIR. It is noted that the Private PAIR file wrapper terminates at page 58 which is Section IX Evidence Appendix which then lists attached thereto Exhibit 1 and Copy of U.S. Patent No. 6 141 925. The electronic file wrapper after page 58 further includes a copy of such Exhibit 1 which forms the last page of the electronic file wrapper Appeal Brief document. Notably, the file wrapper does not include the copy of U.S. Patent No. 6 141 925 which is listed on Appeal Brief page 58, which patent should have been scanned in and included in the file wrapper as documentary evidence. It is also noted that Applicants' Appeal Brief filing further included directly after the '925 patent, the additional page 59 which has the heading X. RELATED PROCEEDINGS APPENDIX. It is suspected that during processing, the '925 patent and subsequent Appeal Brief page 59 were separated from the remainder of the Appeal Brief document which would thus explain the perception that the Appeal Brief might have been incomplete.

Therefore, in response to the non-compliance Notice, Applicants submit herewith a complete copy of the entire Appeal Brief as submitted to the USPTO on March 20, 2007. It will be noted on page 2 of the Appeal Brief that the Table of Contents does specifically list the Evidence Appendix as being page 58 and the Related Proceedings Appendix as being page 59. Further, the attached complete copy of the Appeal Brief does include a complete copy of the Evidence Appendix of page 58 along with Exhibit 1 and the '925 patent, and the enclosed

Appeal Brief further includes page 59 after the '925 patent. Entry of the Appeal Brief in its entirety in the electronic file wrapper is respectfully requested.

As can be seen, the Appeal Brief was in fact fully compliant and withdrawal of the USPTO Notice is respectfully requested.

Respectfully submitted,

  
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